

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

SMOKEY FERNANDEZ,

Petitioner,

v.

JASON BENNETT,

Respondent.

CASE NO. 3:23-cv-05582-JCC-BAT

**ORDER OF DISMISSAL**

Having reviewed *de novo* the Report and Recommendation, any objections, responses, and the record, the Court finds and ORDERS:

- (1) The Court ADOPTS the Report and Recommendation.
- (2) The federal habeas petition (Dkt. 8) is DENIED and the case is DISMISSED with prejudice.
- (3) Issuance of a certificate of appealability is DENIED.
- (4) The Clerk shall provide the parties with a copy this Order.

Dated 1st day July 2025.



JOHN C. COUGHENOUR  
United States District Judge